



STATE OF DELAWARE
EXECUTIVE DEPARTMENT
OFFICE OF
STATE PLANNING COORDINATION

March 3, 2004

Mr. Steven Schwartz
Vineyard Communities, LLC
4101 Highway One
Rehoboth Beach, DE 19971

RE: PLUS review – The Vineyards

Dear Mr. Schwartz:

Thank you for meeting with State agency representatives on February 19, 2004 to discuss The Vineyards project to be located on 82 acres on the north side of US Route 9 west of Belltown near Lewes.

Please note that changes to the plan, other than those suggested in this letter, could result in additional comments from the State. Additionally, these comments reflect only issues that are the responsibility of the State agencies represented at the meeting. The developers will also need to comply with any Federal, State and local regulations regarding this property. We also note that Sussex County is the governing authority over this land; therefore, you will need to comply with any and all regulations/restrictions set forth by the Town.

State agency comments received regarding this project are as follows:

Office of State Planning

The OSPC supports the concept of a neo-traditional design, provided that the infrastructure and the area can support the intensity of the land use proposed under such a design.

Department of Natural Resources and Environmental Control

Water Supply

If dewatering is necessary during the construction phase, well construction permits must be obtained. Please allow four to six weeks for processing well permit applications. You can contact the Water Supply Branch at (302) 739-4793 for more information.

Wastewater

Connection to Sussex County Sewer is proposed.

Soils

According to the soil survey update, Downer was mapped in the vicinity of the proposed construction. Downer is a well-drained upland soil that has few limitations for development.

Pond Issues

Coastal ponds typically have a high potential to serve as “nutrient sinks” which will likely facilitate or promote the excessive growth of nuisance blue-green algae. The developer is encouraged to consider design factors that will help minimize nutrients from entering the pond and protect groundwater quality. Pond shape has an effect on water circulation with long narrow ponds tending to have more problems than circular “wide open” bodies of water. By incorporating a raised berm with a minimum 50-foot wide buffer zone around the shoreline perimeter that is planted with native herbaceous and woody plants, it may be possible to control nuisance Canadian geese and mute swans populations.

Groundwater Recharge

According to the Groundwater Recharge Potential map for Sussex County the project appears to be within a fair to good recharge area. It is important to attempt to reduce or mitigate the amount of impervious surface and to minimize near surface pollutant sources and increased surface water runoff. High density projects have a high probability on reducing the amount of recharge potential that the aquifers depend on. The developer is encouraged to explore pervious alternatives to paved areas and walkways.

TMDLs

The project is located within the Delaware Bay watershed. This watershed will be subject to a Total Maximum Daily Load Regulations in 2007. To assist in the improvement of water quality, the developer is encouraged to employ best available technologies (BATs) and/or best management practices (BMPs) as a means to reduce impacts associated with development.

Department of Transportation (DelDOT)

A traffic impact study (TIS) was nearly completed this winter on a previous development proposal for this site, and we anticipate that much of that TIS is applicable for this proposal. The applicant’s traffic engineer should contact Bill Brockenbrough of the DelDOT Planning Office regarding the continuation of the TIS. When DelDOT completes their review of the finished TIS, they will comment directly to Sussex County on our findings.

DelDOT supports the concept of neo-traditional development but will reserve comment on this particular project pending the results of the TIS.

The SR 1 Land Use and Transportation Study was a joint undertaking, conducted by DelDOT and Sussex County, which was completed in August 2003. The findings, which were developed and adopted jointly, included a recommendation for a controlled access parkway west of Route 1. The exact alignment of this parkway has yet to be determined, but based on the current conceptual planning a likely alignment would pass through the proposed development at the west end of the parcel. The developer has indicated to DelDOT that they will build that portion of their project last, to give DelDOT the maximum amount of time to determine a road alignment and purchase the right-of-way for it. This would also eliminate an expense on their part that they might have incurred if they had proceeded with this phase only to have it impacted by the proposed parkway. DelDOT asked that you provide them with written confirmation of your intent in this regard.

Presently there are significant undeveloped lands to the northwest of the site. DelDOT asks that the developer provide stub streets to those lands to allow for a future interconnection with the development that might occur there.

State Historic Preservation Office (SHPO)

There is a medium to high probability for prehistoric and historic archaeological sites within the project area. There are some buildings immediately northeast of the project area, which are believed to belong to Mr. Raley. SHPO records show that they were moved to this location; therefore they may have lost their historic context. Though they may have lost their integrity after their relocation to this area, we still recommend that the proposed development provide landscaping on the northeast edges (which is shown in the plans) to help lessen any visual effects the development could have on these structures.

Delaware State Fire Marshals Office

At the time of formal submittal, the applicant shall provide; completed application, fee, and three sets of plans depicting the following in accordance with the Delaware State Fire Prevention Regulation (DSFPR):

Fire Protection Water Requirements:

- Water distribution system capable of delivering at least 1500 gpm for 2-hour duration, at 20-psi residual pressure is required. Fire hydrants with 800 feet spacing on centers.
- Where a water distribution system is proposed for (Storage/Industrial/Mercantile) sites, the infrastructure for fire protection water shall be provided, including the size of water mains for fire hydrants and sprinkler systems.
- Water distribution system capable of delivering at least 1000 gpm for 1-hour duration, at 20-psi residual pressure is required. Fire hydrants with 800 feet spacing on centers.
- Where a water distribution system is proposed for (business/educational/assembly/healthcare/multi-family) sites, the infrastructure for fire protection water shall be provided, including the size of water mains for fire hydrants and sprinkler systems.

Fire Protection Features:

- All structures over 10,000 Sq. Ft. aggregate will require automatic sprinkler protection installed.
- Buildings greater than 10,000 sq.ft., 3-stories of more or over 35 feet, or classified as High Hazard, are required to meet fire lane marking requirements.
- Show Fire Department Connection location (Must be within 300 feet of fire hydrant), and detail as shown in the DSFPR.
- Show Fire Lanes and Sign Detail as shown in DSFPR

Accessibility

- All premises which the fire department may be called upon to protect in case of fire, and which are not readily accessible from public roads, shall be provided with suitable gates and access roads, and fire lanes so that all buildings on the premises are accessible to fire apparatus. This means that the access road to the subdivision from Lewes-Georgetown Hwy. must be constructed so fire department apparatus may negotiate it.
- Fire department access shall be provided in such a manner so that fire apparatus will be able to locate within 100 ft. of the front door.
- Any dead end road more than 300 feet in length shall be provided with a turn-around or cul-de-sac arranged such that fire apparatus will be able to turn around by making not more than one backing maneuver. The minimum paved radius of the cul-de-sac shall be 38 feet. The dimensions of the cul-de-sac or turn-around shall be shown on the final plans. Also, please be advised that parking is prohibited in the cul-de-sac or turn around.
- If the use of speed bumps or other methods of traffic speed reduction must be in accordance with Department of Transportation requirements.
- The proposed bridge shall be engineered and installed in accordance with the Department of Transportation requirements, and shall support the weight of the largest fire apparatus.

Gas Piping and System Information:

- Provide type of fuel proposed, and show locations of bulk containers on plan.

Required Notes:

- Provide a note on the final plans submitted for review to read “ All fire lanes, fire hydrants, and fire department connections shall be marked in accordance with the Delaware State Fire Prevention Regulations”
- Proposed Use
- Alpha or Numerical Labels for each building/unit for sites with multiple buildings/units
- Square footage of each structure (Total of all Floors)
- National Fire Protection Association (NFPA) Construction Type
- Maximum Height of Buildings (including number of stories)
- Note indicating if building is to be sprinklered

- Name of Water Provider
- Letter from Water Provider approving the system layout
- Provide Lock Box Note (as detailed in DSFPR) if Building is to be sprinklered
- Provide Road Names, even for County Roads

Preliminary meetings with fire protection specialists are encouraged prior to formal submittal. Please call for appointment. Applications and brochures can be downloaded from our website: www.delawarestatefiremarshal.com technical services link, plan review, applications or brochures.

Delaware State Housing Commission

You have met with DSHA to discuss if and how affordable housing can be incorporated into the development. This is still under consideration at DSHA and they anticipate further discussions with you to determine the best way, if possible, to incorporate affordable housing into the proposal.

Public Service Commission

Area is within existing Tidewater Utilities CPCN coverage. No additional PSC action is required for water.

Natural gas relocation or installation by an existing company will require pipeline safety review and inspection. Contact: Malak Michael, Delaware Public Service Commission, 861 Silver Lake Blvd Suite 100, Dover, DE 19904.

Again, thank you for meeting with State agencies regarding this project. We look forward to continuing to work with you as this project moves forward. If you have any questions, please contact me at 302-739-3090.

Sincerely,


Constance C. Holland, AICP
Director